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ORIGINAL  
Arizona Corporation Commission

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## BEFORE THE ARIZONA CORPORATION COMMISSION

CARL J. KUNASEK  
CHAIRMAN  
JIM IRVIN  
COMMISSIONER  
WILLIAM A. MUNDELL  
COMMISSIONER

IN THE MATTER OF THE APPLICATION OF  
CITIZENS UTILITIES COMPANY FOR  
APPROVAL OF ITS STRANDED COST  
RECOVERY.

DOCKET NO. E-01032C-98-0474

IN THE MATTER OF THE FILING BY CITIZENS  
UTILITIES COMPANY OF UNBUNDLED AND  
STANDARD OFFER SERVICE TARIFFS  
PURSUANT TO A.A.C. R14-2-1606.

DOCKET NO. E-01032C-97-0774

IN THE MATTER OF COMPETITION IN THE  
PROVISIONS OF ELECTRIC SERVICES  
THROUGHOUT THE STATE OF ARIZONA.

DOCKET NO. RE-00000C-94-0165

**PROCEDURAL ORDER****BY THE COMMISSION:**

On May 30, 2000, Marvin Lustinger filed a Motion to Intervene in Citizen Utilities Company's ("Citizens") stranded cost proceeding. On June 5, 2000, Citizens objected to Mr. Lustinger's intervention in the stranded cost proceeding because he failed to demonstrate that he will be "directly and substantially affected by the proceedings" and did not even allege that he is a Citizen's customer. Citizens noted that it is aware, however, that Mr. Lustinger has asserted in another docket (E-01032A-00-0163 et al.) that he owns thousands of acres of land in Mohave County.

Based on the above, we find that Mr. Lustinger is "directly and substantially affected" by this proceeding and should be granted intervention. We note that Mr. Lustinger's intervention comes very late in the proceeding. We grant the intervention with the understanding that his participation as an intervenor will not delay the hearing in this matter currently scheduled for July 5, 2000

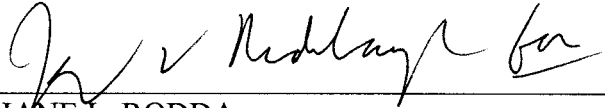
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1 IT IS THEREFORE ORDERED that the request to intervene in this matter by Mr. Lustinger  
2 is hereby granted as conditioned above.

3 DATED this 13<sup>th</sup> of June, 2000.

4  
5   
6 JANE L. RODDA  
7 ADMINISTRATIVE LAW JUDGE

8  
9 Copies of the foregoing delivered/mailed  
this 13<sup>th</sup> day of June, 2000 to:

10 Service List for RE-00000C-94-0165

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22 Debbi Person  
23 Secretary to Jane Rodda  
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